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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Efrain Danilo Mendez a/k/a Efrain D. Mendez-Rivera,
Aldraily Alberto Coiscou, Fernando Molina a/k/a Jorge Luis
Flores Larios, Siryi Nayrobik Melendez, Rene Alexander
Oliva, Juan Flores Larios and Ramiro Cordova, individually
and on behalf of all others similarly situated,

Plaintiffs,

- *against* -

U.S. Nonwovens Corp., Samuel Mehdizadeh a/k/a Solomon
Mehdizadeh, Shervin Mehdizadeh, and Rody Mehdizadeh,

Defendants.

Case No. 12-CV-05583 (SIL)

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF
CLASS AND COLLECTIVE ACTION SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of Class and Collective Action Settlement and in the Declaration of Steven J. Moser in Support thereof (Moser Decl."), the Plaintiffs respectfully request that the Court:

1. grant preliminary approval of the Class And Collective Action Settlement Agreement ("Settlement Agreement"), attached as Exhibit 2 to the Moser Declaration;
2. preliminarily certify the following settlement class under Fed. R. Civ. P. 23(a) and (b)(3) for purposes of effectuating the settlement:

all non-exempt workers employed by USN in the State of New York at any time from November 14, 2006 to the date of preliminary approval of this Agreement who were not paid a spread-of-hours premium pursuant to 12 NYCRR §142-2.4.

3. approve the proposed class action notice annexed as Exhibit B to the Class Action Settlement Agreement (Exhibit 2 to the Moser Declaration) and distribution thereof to the class members;

4. set the date for the final fairness hearing;

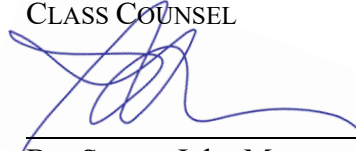
5. approve the proposed class action settlement procedure; and

6. grant such other, further, or different relief as the Court deems just and proper.

The Parties have submitted a Proposed Order, attached to this Notice of Motion for the Court's convenience.

Dated: Huntington, New York
August 18, 2020

Respectfully submitted,
MOSER LAW FIRM, P.C.
CLASS COUNSEL



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